

SENATE BILL 505

C2

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By: **Senators Gladden, Della, Madaleno, and Pugh**

Introduced and read first time: February 3, 2010

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Pet Stores – Sale of Dogs Less than 9 Months of Age Prohibited**

3 FOR the purpose of prohibiting a retail pet store from selling or taking certain other
4 actions with a dog less than a certain age; exempting certain establishments
5 from the requirements of this Act; establishing a certain civil penalty for a
6 violation of this Act; defining a certain term; providing a certain exception to the
7 requirements of this Act; and generally relating to the sale of dogs less than 9
8 months of age in the State.

9 BY adding to
10 Article – Business Regulation
11 Section 19–601 to be under the new subtitle “Subtitle 6. Pet Stores”
12 Annotated Code of Maryland
13 (2004 Replacement Volume and 2009 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article – Business Regulation**

17 **SUBTITLE 6. PET STORES.**

18 **19–601.**

19 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE**
20 **MEANINGS INDICATED.**

21 **(2) “HUMANE SOCIETY” MEANS A SOCIETY OR ASSOCIATION**
22 **INCORPORATED IN MARYLAND FOR THE PREVENTION OF CRUELTY TO ANIMALS.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(3) “RETAIL PET STORE” MEANS A FOR PROFIT ESTABLISHMENT**
2 **OPEN TO THE PUBLIC THAT SELLS OR OFFERS FOR SALE DOMESTIC ANIMALS TO**
3 **BE KEPT AS HOUSEHOLD PETS.**

4 **(B) THIS SECTION DOES NOT APPLY TO:**

5 **(1) A PERSON OR ESTABLISHMENT THAT BREEDS OR RAISES**
6 **ANIMALS TO SELL, EXCHANGE, BROKER, OR OTHERWISE TRANSFER TO THE**
7 **PUBLIC;**

8 **(2) A PUBLICLY OR PRIVATELY OPERATED HUMANE SOCIETY OR**
9 **NONPROFIT ANIMAL ADOPTION ORGANIZATION; OR**

10 **(3) AN ADOPTION EVENT OPERATED BY A HUMANE SOCIETY OR**
11 **NONPROFIT ANIMAL ADOPTION ORGANIZATION OUT OF OR IN CONNECTION**
12 **WITH A RETAIL PET STORE.**

13 **(C) A RETAIL PET STORE IN THE STATE MAY NOT DISPLAY, SELL,**
14 **DELIVER, OFFER FOR SALE OR ADOPTION, BARTER, AUCTION, GIVE AWAY, OR**
15 **OTHERWISE TRANSFER OR DISPOSE OF A DOG LESS THAN 9 MONTHS OF AGE.**

16 **(D) THE OWNER OR OPERATOR OF A RETAIL PET STORE THAT VIOLATES**
17 **THIS SECTION IS LIABLE FOR A CIVIL PENALTY NOT EXCEEDING:**

18 **(1) \$500 FOR A FIRST OFFENSE; OR**

19 **(2) \$1,000 FOR EACH SUBSEQUENT OFFENSE.**

20 SECTION 2. AND BE IT FURTHER ENACTED, That Section 1 of this Act does
21 not apply to a dog that is in the possession of a retail pet store on the effective date of
22 this Act.

23 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2010.